DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE

MEMORANDUM FOR NPOESS IPO/ADA   4 Sep 01

SUBJECT: Release of VIIRS Algorithm Theoretical Basis Documents (ATBDs)

1. References:
   a. International Traffic in Arm Regulations (ITAR)
   b. VIIRS ATBD, Version 4, May 2000

2. The VIIRS ATBDs can be released on the NPOESS website for the following reasons:

   a) Information is not considered "technical data" as defined by the ITAR, para 120.10. Technical data is defined as information which is required for the design development, production, manufacture, assembly, operation, repair, testing, maintenance or modification of defense article.

   b) ATBDs are considered general scientific and mathematical principles/description of development processes.

   c) Many of the VIIRS ATBDs are based upon scientific algorithm information already in the public domain. Per ITAR paragraph 120.11, public domain means information, which is published and which is generally accessible or available to the public through fundamental research in science and engineering at accredited institutions of higher learning in the US where the resulting information is ordinarily published and shared broadly in the scientific community.

3. In addition, even if the ATBD information could be construed as "technical data"; it would also fall under ITAR exemption, para 125.4 (b) (3). This exemption covers "technical data, including classified information, in furtherance of a contract between the exporter and an agency of the US Government, if the contract provides for the export of the data and such data does not disclose the details of design, development, production, or manufacture of any defense article." The ATBDs describe the theoretical basis and development process of the algorithms. It does not provide any specific technical data.

4. It is my recommendation that all the VIIRS ATBDs can be publicly released on the NPOESS website without further security review.
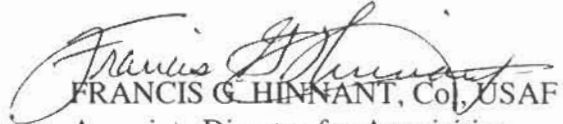
SUHRA E. KANG, Maj, USAF
VIIRS Instrument Manager

SEP   4 2001

1st Ind, NPOESS IPO/ADA

MEMORANDUM FOR RECORD

I concur / non-concur with the recommendation to release the VIIRS Algorithm Theoretical Basis Documents.

FRANCIS G. HINNANT, Col, USAF
Associate Director for Acquisition
NPOESS Integrated Program Office